7311406/2023/OP-I-AGC01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Agriculture & Cooperation Department – Smt. R. Deepa Bhavani, Section Officer, Agriculture & Cooperation Department – Formerly worked as School Assistant (Apprentice) - Sanction of notional increment, for the service rendered as School Assistant from 23.10.2009 to 17.09.2010 – Representation – Submitted – Examined – Rejected - Orders – issued.

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AGRICULTURE & COOPERATION (O.P.I) DEPARTMENT

G.O.Rt.No.313.

Dated:28.04.2023.

Read the following:-

1. Representation dt.30.06.2021 of Smt. R. Deepa Bhavani, the then Assistant Section Officer, Higher Education Dept. and presently working as Section Officer, Agri. & Coop. Dept.
2. G.O.Ms.221, Education (Ser.III) Department, dt. 16.07.1994
3. G.O.Ms.No.2, Education (Ser.III) Department, dt.05.01.2009
4. G.O.Ms.No.105, Finance (FR.II) Department, dt. 02.06.2011

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In the reference 1st read above, Smt. Deepa Bhavani, the then Assistant Section Officer, Higher Education Dept. and presently working as Section Officer, Agri. & Coop. Dept., has requested for sanction of notional increment, for the service rendered as School Assistant from 23.10.2009 to 17.09.2010 i.e., nearly 11 months, in relaxation of G.O.Ms.No.2,date:05.01.2009.

2. Government have considered, the individual request in accordance with the Fundamental Rules existing and also as per the instructions issued in the references from 2nd to 4th read above as follows:

Request	Rule position	Remarks
(a)Assigning Time Scale of Pay for the apprenticeship period	Government vide G.O.Ms.No.221, Edn (Ser.III) Dept, dt. 16.07.1994 framed the A. P. School Education Subordinate Service Rules for Recruitment of Teachers in Government, Zilla Parishad and Mandal Parishad Schools. According to these rules - *"Every selected candidate shall be initially appointed as Apprentice for a period of two years from the date of appointment. …. During the period of apprenticeship, he/she shall be paid a monthly stipend at a rate to be prescribed from time to time by Government. On satisfactory completion of the period of apprenticeship, he/she shall be appointed to a regular post with a regular scale of pay. The apprenticeship period shall count for probation."*	Smt.R.Deepa Bhavani worked as School Assistant for a period of (10 months 26 days) as apprentice and paid a monthly stipend as per G.O.Ms.No.221, Edn (Ser.III) Dept, dt. 16.07.1994. As per the said orders, on satisfactory completion of the period of apprentice (of two years period), he/she shall be appointed to a regular post with a regular scale of pay . As the individual did not complete her apprentice period of two years; she was not assigned any regular pay in the said post. As such now assigning Time scale for the apprentice period is not applicable in the present case.
(b) Sanctioning notional increment for (10 months 26 days) working period.	As per G.O. Ms.No.2, Edn. (Ser.III) Dept., dt. 05.01.2009 :	The individual in the present case worked as School Assistant for a period of (10 months 26 days) only from

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	"for the period of apprenticeship of two years of the teachers be counted for the purpose of sanction of notional increments and to sanction two (2) notional increments w.e.f 01.04.2009."	23.10.2009 to 17.09.2010 on apprenticeship basis and was paid a remuneration of Rs.4,400/- p.m.(no time scale is assigned). As such now allowing (1) notional increment for the period of 10 months 26 days as per G.O.Ms.No.2, Edn (Ser.III) Dept, dt: 05.01.2009 is not applicable in this case. Earning of increments in the Time Scale is periodical in nature - to be drawn on completion of 12 months duty period in normal course . For this purpose exact days and hours are taken into consideration. The same is the case with notional increment. As such allowing (10 months 26 days) period working period for notional increment is not acceptable as per Fundamental Rules. As such allowing (10 months 26 days) working period for notional increment doesn't arise.
(c)Pay protection as per G.O. Ms. No.105, Finance (FR.II) Dept, dt. 02.06.2011.	As per G.O.Ms. No.105, Finance (FR.II) Dept, dt. 02.06.2011 : *"The former employees of local bodies who are appointed later through APPSC and D.S.C., in Govt. Service on or after 10.12.2004, and who are continuing in government service as on today be given pay protection under F.R 22(a) (iv)…."*	In the present proposal, the individual was not at all eligible for assigning Time Scale in the cadre of School Assistant . As such protection of pay of the individual of her previous service as School Assistant in the cadre of Assistant Section Officer as per G.O. Ms.No. 105, Finance Dept., dt. 02.06.2011 is not applicable in the present case.

3. After careful examination, the Government have opined that, "No Rule Is Applicable" in this case for (i) assigning Time Scale of Pay for the apprenticeship period; (ii) sanctioning notional increment for (10 months 26 days) working period; and (iii) pay protection as per G.O.Ms.No.105, Finance (FR.II) Department, dated.02.06.2011. And As Such Relaxation Of Rules Doesn't Take Place.

4. Accordingly, the request of Smt. Deepa Bhavani, the then Assistant Section Officer, Higher Education Dept. and presently working as Section Officer, Agri. & Coop. Dept. for notional increment, for the service rendered as School Assistant from 23.10.2009 to 17.09.2010 i.e., nearly 11 months, in relaxation of G.O.Ms.No.2,date:05.01.2009, is hereby rejected.

5. This Order is issued with the concurrence of Finance (HR.IV-FR&LR) Department, vide their U.O.No . FIN01-HR/197/2020-HR-IV,dt.22.02.2023 (Computer No: 1311933).

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER RBKs &
PRINCIPAL SECRETARY TO GOVERNMENT

To:
Smt. R. Deepa Bhavani, Section Officer,
Agriculture & Cooperation Department,
A.P. Secretariat, Velagapudi.

Copy to:
The Finance (HR.IV-FR&LR) Department, Block -2, 1st Floor,
A.P. Secretariat, Velagapudi.
Sc/Sf.

//FORWARDED :: BY ORDER//

SECTION OFFICER